

REMARKS/ARGUMENTS

Responsive to the Official Action mailed November 4, 2005, applicants have further amended the claims of their application in an earnest effort to place this case in condition for allowance. Specifically, independent claims 1 and 4 have been amended. Reconsideration is respectfully requested.

Applicants gratefully acknowledge the Examiner's withdrawal of rejections relating to double-patenting, and 35 U.S.C. §112.

In rejecting the pending claims under 35 U.S.C. §102, the Examiner relies upon PCT patent publication No. WO 99/25318, to Pung et al. However, it is respectfully maintained that this reference clearly fails to teach or suggest applicants' novel nonwoven cleaning article, including first and second *graphically dissimilar* intercalated three-dimensional images, as set forth in the presently pending claims. Accordingly, the Examiner's rejection is respectfully traversed.

As discussed in the specification, the present invention contemplates a unique wipe construct, which in accordance with the illustrated embodiments, is uniquely configured to include first and second *graphically dissimilar* intercalated three-dimensional images. Each of the embodiments of the present invention illustrated in Figures 2 through 17 of applicants' disclosure shows the first and second graphically dissimilar three-dimensional images that can be formed in accordance with the present invention.

In this context, applicants must respectfully note that not only does the Pung et al reference fail to teach or suggest applicant's invention, the Pung et al. disclosure *includes no illustrations or drawings*. Clearly, those skilled in the art *would not* understand Pung et al. to teach or suggest the formation of first and second graphically dissimilar three-dimensional images in a nonwoven fabric construct.

In this regard, the Examiner refers to page 5, lines 153-155. However, in assessing what those skilled in the art would understand from the Pung et al. teachings, applicants respectfully refer to the discussion of Pung et al. which begins at page 4, line 142 *et seq.*:

In one embodiment of the present invention, the basis weight and the density, respectively, of the raised fibrous regions *are substantially the same as the basis weight and density, respectively, of the base surface.*

At page 5, line 151, Pung et al. then goes on to state:

In a second embodiment of the present invention, the basis weight of the raised fibrous portions is greater than the basis weight of the base surface and the density of the raised fibrous portions are substantially the same as the density of the base surface. In a third embodiment of the present invention, the basis weight of some of the raised fibrous regions are substantially the same as the basis weight of the base surface and the basis weight of other raised fibrous regions are greater than the basis weight of the base surface.

Thus, those skilled in the art would understand that Pung et al. *is not* concerned with presentation of *graphically dissimilar* first and second, intercalated three-dimensional images, since two of the three disclosed embodiments do not contemplate any differences between the various raised portions of the construct.

In this context, it is respectfully maintained that nothing in the Pung et al. document itself would suggest to those skilled in the art that *any of the embodiments* contemplate first and second, graphically dissimilar intercalated three-dimensional images, in accordance with the present invention.

Applicants respectfully refer to M.P.E.P. Section 2112, which specifically requires:

To establish inherence, the extrinsic evidence 'must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by a person skilled in the art. Inherency, however, *may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient.*

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Clearly, the statement referenced by the Examiner in Pung et al. clearly *does not* "make clear that the missing descriptive matter is necessarily present in the thing described in the reference", particularly when Pung et al. not only fails to teach or suggest any formation of first and second graphically dissimilar images, but further, *does not illustrate any images at all*.

Applicants further respectfully refer to M.P.E.P. Section 2143.03, which specifically requires that "all claim limitations must be taught or suggested by the prior art" (citation omitted), and in light of the clear deficiencies in the teachings of the Pung et al. reference, it is respectfully submitted that features of applicants' pending claims are clearly *not* "taught or suggested by the prior art".

In view of the foregoing, formal allowance of claims 1-6, 9, and 12 is believed to be in order and is respectfully solicited. Should the Examiner wish to speak with applicants' attorneys, they may be reached at the number indicated below.

The Commissioner is hereby authorized to charge any additional fees which may be required in connection with this submission to Deposit Account No. 23-0785.

Respectfully submitted,

By 
Stephen D. Geimer, Reg. No. 28,846

WOOD, PHILLIPS, KATZ, CLARK & MORTIMER
500 West Madison Street, Suite 3800
Chicago, Illinois 60661-2511
312/876-1800

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I hereby certify that this Amendment is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service under 37 CFR 1.10 addressed to Mail Stop RCE, Commissioner of Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, Express Mail Label No. EV 576550766 US on **May 4, 2006**.



Colleen Davison